

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Vincent Divino, Jr. et al.

Prior Application Serial No.: 09/410,344  
Prior Application Filed: September 30, 1999

Serial No.: Unassigned

Filed: Herewith

For: METHOD OF FORMING GAS-  
ENRICHED FLUID (As Amended)

Group Art Unit: Unassigned

Examiner: Unassigned

Atty Docket: THOX:0021--1/FLE  
PA060-US

jc530 U.S. PTO  
09/468471  
12/21/99

Assistant Commissioner  
For Patents  
Washington, D.C. 20231

<b>"EXPRESS MAIL" MAILING LABEL</b>	
NUMBER:	EL 432 941 686 US
DATE OF DEPOSIT:	December 21, 1999
<p>Pursuant to 37 C.F.R. § 1.10, I hereby certify that I am personally depositing this paper or fee with the U.S. Postal Service, "Express Mail Post Office to Addressee" service on the date indicated above in a sealed envelope (a) having the above-numbered Express Mail label and sufficient postage affixed, and (b) addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.</p>	
December 21, 1999	<i>Cynthia L. Hayden</i>
Date	Cynthia L. Hayden

Dear Sir:

**REQUEST FOR FILING CONTINUING APPLICATION UNDER 37 C.F.R. § 1.53(b)**

This is a Request for filing a continuing application under 37 C.F.R. § 1.53(b) of pending prior application Serial No. 09/410,344, filed on 09/30/99, entitled **APPARATUS AND METHOD FOR BLOOD OXYGENATION** in the name of **Vincent Divino, Jr. et al.**

The following are enclosed:

1.   X   Papers which the undersigned declares to be a true copy of the prior application as originally filed, including a Title page, a 55 page disclosure, 6 pages of claims, a 1 page abstract of the disclosure, 14 sheets of informal drawings, and a Declaration signed by the inventors.
2.   X   A check in the amount of \$590.00 is enclosed. However, if the check is missing or insufficient, the Commissioner is authorized to charge the filing fee as calculated below, less any claims canceled by amendment below, and any additional fees which may be required, to Deposit Account No. 06-1315; Order No. THOX:0021--1/FLE.
- 3.a.   X   A copy of the Power of Attorney in the prior application.  
or
- 3.b.        A new Power of Attorney.
4.   X   An Assignment of record for the prior application.
5.   X   Three (3) sets of informal drawings, each set consisting of 14 sheets.
- 6.a.        A verified statement claiming small entity status is enclosed.

6.b.   X   A verified statement claiming small entity status was filed in a parent application and small entity status is still proper and desired in this continuing application.

7.   X   A Preliminary Amendment.

  X   Please address all correspondence in connection with this application to **Michael G. Fletcher, Fletcher, Yoder & Van Someren, P.O. Box 692289, Houston, Texas 77269-2289; telephone (281) 970-4545.**

  X   Amend the specification by inserting before the first line the sentence:

*AA' Sub B2* --This application is a Continuation of application Serial No. 09/410,344 filed 09/30/99.--


  X   Cancel in this application original claims **2-40** of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

The filing fee is calculated on the basis of the claims originally filed in the prior application, and any claims canceled by amendment.

CLAIMS	FOR	NUMBER FILED	NUMBER EXTRA	RATE	CALCULATIONS
	TOTAL CLAIMS 39	- 20 =	19	X \$ 18.00	\$ 342.00
	INDEPENDENT CLAIMS 4	- 3 =	1	X \$ 78.00	78.00
MULTIPLE DEPENDENT CLAIM(S) (If applicable)				+ 260.00	
				BASIC FEE	760.00
			Total of above Calculations =		1180.00
Reduction by ½ for filing by small entity (Note 37 C.F.R. §§ 1.9, 1.27, 1.28.					\$ 590.00
				TOTAL =	\$ 590.00

The undersigned declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true, and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: December 21, 1999

  
\_\_\_\_\_  
Michael G. Fletcher  
Reg. No. 32,777  
FLETCHER, YODER & VAN SOMEREN  
P.O. Box 692289  
Houston, Texas 77269-2289  
(281) 970-4545